## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
	)	
vs. BRYAN CORNELIUS,	)	No. 3:19-CR-220
	)	(VARLAN/POPLIN)
	)	
	)	
Defendant.	)	

## PROPOSED JURY INSTRUCTION

**COMES** the Defendant, BRYAN CORNELIUS, by and through counsel, and respectfully submits the proposed jury instruction, based on Sixth Circuit Pattern Criminal Jury Instructions 7.06B, 7.07, 7.07A, and 7.08:

## TESTIMONY OF AN ACCOMPLICE, ADDICT, INFORMANT, OR PERSON UNDER COMPULSION

- (1) You must consider some witnesses' testimony with more caution than others.
- (2) For example, a witness may testify about events that occurred during a time when the witness was using addictive drugs, and so the witness may have an impaired memory of those events. Further, a witness who has gained, or hopes to gain, more favorable treatment for his or her own case may have a reason to make a false statement in order to strike a good bargain with the government. Other witnesses may be testifying under compulsion.
- (3) You should consider the testimony of such witnesses with more caution than the testimony of other witnesses. Consider whether the testimony may have been influenced by a government promise or a grant of partial immunity. Do not convict a defendant based on the unsupported testimony of any such a witness, standing alone, unless you believe such testimony beyond a reasonable doubt.

(4) Further, the fact that such a witness has pleaded guilty to a crime is not evidence that the defendant in this case is guilty, and you cannot consider this against the defendant in any way.

[authority: 6th Circuit Pattern Criminal Jury Instructions (2021)]

Respectfully submitted this 8th day of April, 2022.

s/Gerald L. Gulley, Jr.
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## **CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing document was filed electronically, with notice of this filing to be sent by operation of the Court's electronic case filing system; any other interested parties will be served by regular United States Mail with prepaid first-class postage thereon sufficient to cause delivery. Parties may access this filing through the Court's electronic case filing system.

This the 8th day of April, 2022.

By: <u>s/Gerald L. Gulley, Jr.</u>
Attorney